

ULC  
Retention of land upto prescribed  
Ceiling limit.

GOVERNMENT OF MAHARASHTRA  
General Administration Department,  
Circular No. ULC 1080(207)/XXXV(V)  
Mantralaya, Bombay 400 032.  
Dated the 5th June 1980.

C I R C U L A R

Some of the land holders have complained that they are not permitted to retain vacant land upto the prescribed ceiling limit of their choice by the Competent Authorities while determining surplus vacant land held by them. In the Act, there is no provision regarding the choice to be exercised in respect of vacant land to be retained by the surplus land holder. In annexure 'I' of the statement prescribed under sub-section (1) of Section 6 of the Act, the holder has to indicate the lands to be retained and lands to be surrendered by him. Just because a choice has not been given to the land holder, it does not mean that he should be permitted to retain such lands which he can not put to use for building purposes.

Under Section 4 of the Act, the surplus land holder is permitted to retain vacant land upto ceiling limit prescribed under this section. When a right to retain vacant land upto prescribed ceiling limit is given, it means lands to be retained should be such which are of use to the holder for building purposes. It will amount to negation of the right of retention of vacant land upto prescribed limit, if the land holder is permitted to retain land which has no access or which he cannot put to any use. He should therefore, be permitted to retain such lands which he can put to use for construction purpose.

By order and in the name of the Governor of Maharashtra,

Sd/-  
(B.K. Agarwal)  
Deputy Secretary to Govt.

To  
All Competent Authorities,  
(Urban Land Ceiling).